

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ADOBE SYSTEMS INCORPORATED,

Plaintiff,

v.

HOOPS ENTERPRISE LLC; and ANTHONY
KORN RUMPF,

Defendants.

No. C 10-2769 CW

ORDER GRANTING
PLAINTIFF'S MOTION
TO FILE UNDER SEAL
(Docket No. 197)
AND STRIKING
IMPROPERLY FILED
DOCUMENT (Docket
No. 196)

AND ALL RELATED CLAIMS

Plaintiff Adobe Systems Inc. has filed a motion to file under seal its unredacted brief in opposition to the motions in limine filed by Defendants Hoops Enterprise LLC and Anthony Kornrumpf. The Court has previously granted leave to file under seal a settlement agreement that the parties had executed to settle prior litigation between them and had agreed to keep confidential as part of the terms of settlement. See Docket Nos. 150, 193. Plaintiff represents that the portions of the brief it presently seeks to file under seal contains excerpts and references to the terms of that settlement agreement. Wang Decl. ¶ 3.

Plaintiff has already filed a version of its opposition to Defendants' motions in limine in the public record. Docket No. 196. The Court notes that, while Plaintiff has apparently attempted to redact the document by placing a black box over one area, the text underneath that box remains accessible.

1 Because the public interest favors filing all court documents
2 in the public record, any party seeking to file a document under
3 seal must demonstrate good cause to do so. Pintos v. Pac.
4 Creditors Ass'n, 605 F.3d 665, 678 (9th Cir. 2010). This cannot
5 be established simply by showing that the document is subject to a
6 protective order or by stating in general terms that the material
7 is considered to be confidential, but rather must be supported by
8 a sworn declaration demonstrating with particularity the need to
9 file each document under seal. See Civil Local Rule 79-5(a).

10 Having reviewed the portions of the brief that Plaintiff
11 seeks to seal, the Court finds that Plaintiff has demonstrated
12 good cause for the unredacted brief to be filed under seal.
13 Accordingly, the Court GRANTS Plaintiff's motion to file under
14 seal (Docket No. 197). Further, because Docket No. 196 contains
15 confidential material, the Court STRIKES Docket No. 196 and
16 directs the Clerk to delete it from the public docket.

17 Within four days of the date of this Order, Plaintiff shall
18 file under seal its unredacted opposition to Defendants' motions
19 in limine and shall file a properly redacted version of its
20 opposition in the public record. The Court notes that the
21 Northern District of California has posted helpful information
22 about redaction on its public website, which can be accessed at
23 <https://ecf.cand.uscourts.gov/cand/faq/tips/redacting.htm>.

24 IT IS SO ORDERED.

25
26 Dated: 5/31/2012

27 
28 CLAUDIA WILKEN
United States District Judge